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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, TRONG NHAN P

ART UNIT PAPER NUMBER

2152

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/872,566	<b>Applicant(s)</b> PAUL ET AL.	
	<b>Examiner</b> Jack P. Nguyen	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 3-5,7-13 and 27-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-5,7-13 and 27-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/30/04</u> | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This action is in response to Applicant's amendment filed on 12/21/04. Claims 1-2, 6, and 14-26 are canceled. Claims 27-36 are added. Therefore, claims 3-5, 7-13, and 27-36 are being examined.

### ***Response to Arguments***

Applicant's arguments filed on 12/21/04 regarding claim 5 have been considered but are moot based on new ground of rejection. Applicant's arguments concerning the rest of the claims have been fully considered but they are not persuasive.

In the remarks, Applicant argues on page 9 that Kanevsky does not disclose or suggest, "...device profile information...wherein the device profile information includes a buffer size that describes a number of characters that the mobile device can receive on input without loss of input data." Examiner traverses applicant's remarks. Kanevsky does explicitly disclose the mobile device (113d, fig. 1) sends its profile information (via the display mode message (103, fig. 1)) to the server (104, fig. 1) for storage and reference; the device profile information contains data that describes the display limitations or parameters (hence buffer size) of the client device; i.e., the client device is restricted and limited to view data and characters in certain formats and size; furthermore, the client device cannot display data that is outside the limits of buffer ranges (e.g., amounts of data, character formats, window or browser size, etc.) (col. 6, lines 20-27, 53-58; the server stores the device profile information for future data

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manipulation and translation into compatible formats and sizes that can be displayed by the client device).

Applicant further argues on page 10 that Kanevsky does not disclose or suggest, "...the data received from the web sites 105 or 106 indicates that a particular graphical element within a plurality of elements is 'current'." Examiner traverses applicant's remarks. As the server (104, fig. 1) retrieves graphical data from the web sites (105, 106, fig. 1) for translation, the retrieved data is the 'current' data to be *dynamically* translated by the web page adaptor server 'WPAS' (107, fig. 1) to be sent the client device (col. 7, lines 25-33; col. 7, line 57 – col. 8, line 2.)

As per claim 7 in the USC 103 rejection, Applicant concedes on page 12 with the Official Notice the use of external translating converters to assist the original translating server in translating web page data is well known to one of ordinary skill in the art. However, Applicant argues that prior art system, "...does not follow from this assertion that any entity disclosed by Kanevsky determines whether the external converter can convert a first description, which does not use a particular format, to a second description that uses a particular format." Examiner traverses applicant's remarks. As previously stated, when the server (104, fig. 1) retrieves web page data from the web sites (105, 106, fig. 1) in some particular format, it determines that it cannot process or translate the data into formats requested by the client device; therefore, it sends the retrieved data to an external server (107, fig. 1; referred to as WPAS server) for translation processing. Kanevsky also discloses once the client device has received the translated data from the WPAS via the server (104, fig. 1), the client device can

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determine to forward any data or format for further translations to the client web page adaptor (112, fig. 1; or CWPA; the CWPA can perform additional translations on formats and protocols that may not be available on the WPAS); the CWPA can serve as an external converter helper to the WPAS that is capable of translating additional formats as already stated. Hence, from the teachings of Kanevsky, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the functionalities of the CWPA to a plurality of additional external converters to provide additional translating functions as desired by the administrator. Therefore, one of ordinary skill in the art would have been motivated to use external helpers (as the Applicant has already conceded) because by doing so would enhance the user experience of the requesting clients (col. 7, lines 10-15, 25-33, 42-50).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

**Claims 3-4 and 27-28 are rejected under 35 U.S.C. 102(e) as anticipated by Kanevsky, 6,300,947, (hereafter Kanevsky).**

Kanevsky is cited in a previous Office Action.

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As per claims 3 and 4, Kanevsky discloses a method of interacting with a client process on a mobile device (col. 5, lines 62-63; web phone (113d, fig. 1) is a mobile device) connected to a network over a wireless link, the method comprising the steps of: managing information at a mobile applications server (104, fig. 1) executing on a platform connected to the network, the information including device profile information about the mobile device (col. 6, lines 20-27), wherein the device profile information includes a buffer size describing a number of characters the mobile device can receive on input without loss of input data (col. 6, lines 20-27; the mobile device (113d, fig. 1) sends its device profile/capabilities to the server for storage; device profile includes data that describes the software and hardware capabilities of the device); receiving from an application, first data describing a plurality of graphical elements for display on the mobile device (col. 7, lines 10-15; server retrieves web data from web site (106, fig. 1) in response to the client request); determining, based on the device profile information, whether the first data exceeds a capacity of the mobile device, wherein the capacity is based on the buffer size (col. 7, lines 25-32; after retrieving data from web site, the server (104, fig. 1) determines that the data need to be processed or translated according to the mobile device profile; the server then forward the data to the web page adapter server 'WPAS' (107, fig. 1) to assist with the data translation so it can send the translated copy back to the client device); and if it is determined that the first data exceeds the capacity, then forming a subset of the first data that does not exceed the capacity of the mobile device (col. 7, lines 16, 19, 25-32; upon receiving the web page data and device profile from the server (104, fig. 1), the WPAS (107, fig. 1) translated

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the retrieved data into formats that are compatible with the client device); and sending the subset of the first data to the client process (col. 7, lines 42-44; the WPAS then sends the translated data back to the server so it can be transmitted to the client device).

Claims 27-28 are rejected by similar rationale as claims 3-4.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 5 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky in view of Li et al, 6,345,279 (Li hereafter).**

Claims 5 and 29 recite similar limitations as claim 1; therefore, it is rejected by similar rationale as claim 1 by Kanevsky. However, Kanevsky does not explicitly disclose the server requests the device information from the mobile device. It is well known and would have been obvious to one of ordinary skill in the art at the time of the invention that when the wireless device establishes a connection with the server, the server requests the device to send pertinent device information such as device ID, password, parameters (capabilities) etc. so that the server can authenticate the user for

certain services. Furthermore, in a related art to the claimed invention, Li discloses a system that is adapted to translate data retrieved from content sources into formats that are compatible with the requesting wireless device (e.g., personal data assistant 'PDA' is a wireless device – col. 2, lines 36-37); the system requests and obtains device capabilities information from the client device through various means including the use of cookies (abstract, col. 2, lines 19-26; col. 6, lines 30-31, 37-41; server requests client device to send its device information to the server; device data can be obtained via cookie). Hence, it would have been obvious to one of ordinary skill in the art at the time of invention to modify and/or combine the teachings of Kanevsky and Li to enable the server to request the client for device information so that the server can store the information in its database for later reference. The motivation to perform this function is to ensure the server obtains the required client data so that the server can properly customizes responses to client requests.

**Claims 7-13 and 30-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky.**

As per claims 7 and 30, Kanevsky discloses a method of interacting between a mobile device (113d, fig. 1; col. 5, lines 62-63; web phone is a wireless device ) connected to a network over a wireless link, for managing information at a mobile applications server (104, fig. 1) including device profile data (col. 6, lines 20-27; the wireless client sends its device profile (capabilities) to the server (104, fig. 1) for storage and reference); the mobile application server retrieves data in a plurality of formats



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from a plurality of web content servers (105, 106, fig. 1; col. 7, lines 10-16); the server (104, fig. 1) determines whether an external converter (107, fig. 1; or known as web page adapter server 'WPAS'; WPAS can convert or translate retrieved content data into formats that are compatible with client devices) can convert or translate the retrieved web page data from the web server; if so, the server forwards the device information along with web content data to the converter server for translation into formats that are compatible with the requesting client device ( col. 7, lines 16-19, 25-32). Kanevsky also discloses after the data conversion process, the WPAS sends the converted data back to the application server (104, fig. 1) to be transported to the mobile device for display (col. 7, lines 42-44). Kanevsky does not explicitly teach the server determines if the external converter cannot perform the conversion, then it converts the data and sends the translated data to the client device. However, Kanevsky also discloses the web page data can be further translated by external entities such as the client web page adaptor module 'CWPA' in addition to the WPAS as discussed above in the Response to Arguments section. Hence, it would have been obvious to one of ordinary skill in the art at the time of invention to be motivated to use a plurality of converters to translate data into plurality of formats as desired by the client device in case a particular converter cannot perform a specific translation required by the client device.

As per claims 8 and 31, Kanevsky discloses if the external converter can convert the data using the particular format, then sending the data to the external converter (col. 7, lines 16-19; after determining the WPAS is capable of performing the data translation, the server (104, fig. 1) forwards the retrieved content to the WPAS for data translation).

As per claims 9 and 32, Kanevsky discloses a plurality of devices (including wireless and industrial) capable of sending, accessing, and retrieving data from a plurality of web sites and content servers via the WPAS in a plurality of formats as noted above by using Internet Protocols such as HTTP (col. 6, lines 11-13). Hence, it is apparent that a particular format such as the Telnet protocol is also supported by the system as well.

As per claims 10-13 and 33-36, Kanevsky discloses the WPAS that supports a plurality of scripting languages (including markup languages such as HTML) and other programs/protocols (e.g., wireless application protocol 'WAP') that can be reformatted and transmitted between the content servers on the world wide web (WWW) and the plurality of devices (including wireless and industrial devices) (col. 5, lines 5-15; Col. 8, Lines 15-23; palmtop is a wireless device). It is apparent the system is versatile and adaptable in order to support a plurality of devices using a plurality of formats and languages such as HDML (palmtop devices uses HDML), XSL, etc.

Prior arts that are not used in the rejection but is in the 892 Form: US Pat 6,336,124; 6,473,609; 5,918,013; 5,790,800; 6,233,608; 5,708,780; 6,871,236; 6,857,010

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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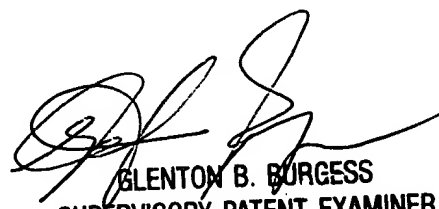
TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack P. Nguyen whose telephone number is (571) 272-3945. The examiner can normally be reached on M-F 8:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jpn



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